

AFFIDAVIT OF LARRY CARY EXHIBIT B -D

EXHIBIT B

NY Metro Area Postal Union
350 West 31st Street
New York, NY 10001
August 21, 2007

Ms. Clarice Torrence
President
NY Metro Area Postal Union
350 West 31st Street
New York, NY 10001

certified # 7007 0710 0000 4990 4409

Re: Request for NY Metro Area Postal Union Financial Information

Dear Ms. Torrence:

As it is our fiduciary right and responsibility under the prevailing APWU National and NY Metro Local Constitutions, and the United States Code, as elected officers of the New York Metro Area Postal Union, we are requesting the following documents for our review:

- All vouchers beginning from June 2003 to, and including, July 27, 2007 for the following individuals.
 1. Damon Branch
 2. Theodore Nicholas
 3. Tawanda Young
 4. Gregory Wilson
 5. Joann Flagler
 6. Charles Zlatkin
 7. Shilda Motley-Simmons
 8. Wayne Lewis
 9. Ernesto Jordan
 10. Norman Shepherd
 11. Giselle Ambursley
 12. Kejia McClarin
- A detailed record of services rendered, with monies spent, for Gary Schoichet, a consultant listed for the Union Mail.
- A break-down of *all* contributions, gifts, and grants totaling \$28,139.00 as indicated in the most recent LM-2.
- A break down, with explanations, of all legal fees paid to Cary Kane, LLC from January 2006, to, and including, August 1, 2007.

C. Torrence - 2
July 31, 2007

- What services do the following companies perform for the union? Listed are their names and the amounts of money paid to them by NY Metro.

1.	DeLage Landon Financial Services	\$29,696.00
2.	Beardon LLP Accounting Services	\$63,437.00
3.	Miceli and Koenig, CPA Firm	17,789.00
4.	Tom Varecha Associates	\$ 5,976.00
5.	Working Advantage	\$ 7,970.00
6.	Merkle Direct Marketing	\$ 9,097.00

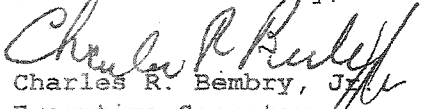
- From 2003 until the present, a complete and detailed accounting of all monies received and spent relevant to the cell phone tower located at 350 W. 31st Street, New York, NY 10001.
- As the recent LM-2 does not contain specific financial information for the Local 10 Building Corporation, please have available for our review all detailed information concerning rent received from each tenant and all other financial reports concerning the operation of Floors 1 - 8 for the Local 10 Building Corporation.
- All Minutes for all meetings of the Local 10 Building Corporation Board of Directors since May 2003.
- A copy of the most recent Trustee Board Report with the names of the Trustees attending. The report must also contain the meeting date and time.


Accompanying our review of the requested items will be one additional member in good standing in NY Metro.


President Torrence, we are sure you will concur that for the well running of any labor organization, any officer and/or member has the right to review that labor organization's financial records at any time. Thank you for your cooperation in this most important matter.

Please have the requested documents available for review by September 5, 2007, 10:00 AM.

Yours in Solidarity,

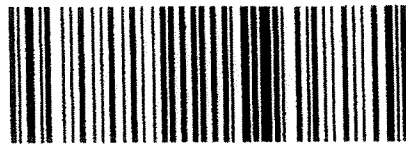

Charles R. Bembry, Jr.
Executive Secretary
NY Metro


Timothy Neilan
Director, DVD
NY Metro


Michael Poole
Coordinating VP
NY Metro

cc: Wilfredo Figueroa, Treasurer
File

CERTIFIED MAIL™



7007 0710 0000 4990 7409



0000



10001

U.S. POSTAGE
PAID
TEANECK, NJ
07666
AUG 21, 07
AMOUNT

\$5.21

00058535-04

RETURN RECEIPT
REQUESTED

New York Metro Postal Union
350 W 31st Street
3rd Floor
New York, NY 10001
Wilfredo Figueroa

1000132726 C053

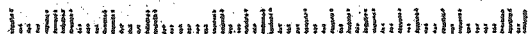


EXHIBIT C



NEW YORK METRO AREA POSTAL UNION, APWU AFL-CIO

350 WEST 31st STREET NEW YORK, NY 10001 (212) 563-7553 Fax (212) 680-1039

A Democratic Trade Union

August 24, 2007

CLARICE TORRENCE
President

CLARENCE A. WALL, JR.
Executive Vice President

FRANKIE SANCHEZ
*Director of
Industrial Relations*

CHARLES R. BEMBRY, JR.
Executive Secretary

WILFREDO FIGUEROA
Treasurer

ABRITTO DIVINE P. EL
Director of Organization

CERTIFIED MAIL – 7004 0550 0000 2085 8075

Charles R. Bembry, Jr.
Executive Secretary
50 Westervelt Place
Teaneck, NJ 07666

CERTIFIED MAIL – 7004 0550 0000 2085 8068

Timothy Neilan
Director, DVD
1002 Staghorn Lane
Stroudsburg, PA 18360

CERTIFIED MAIL – 7004 0550 0000 2085 8051

Michael Poole
Coordinating VP
39 Singer Avenue
Spring Valley, NY 10977

Re: Your Letter of August 21, 2007

Dear Brothers and Union Members:

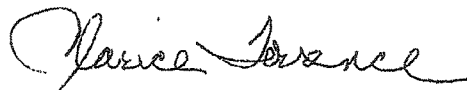
Regarding your letter of August 21, 2007, please be advised that after careful consideration of your request I must deny it. You have asked the Union to produce an unprecedented amount of its books and records for a four year period without advancing any particular reason for why it is necessary as a union member for the Union to be put to the extraordinary expense of assembling such materials for your review.

As each of you occupies a union position, you are of course familiar with the rights and responsibilities each of you have under the local's constitution. After reviewing the local's constitution, I can find no special privilege granted you by dint of your position requiring that the local comply with your request.

Because Union's are membership organizations, federal law specifies the obligations of the union to file financial reports and it details when unions, if ever, must produce books and records of the description contained in your request to individual members. Moreover, the Department of Labor is authorized and responsible for overseeing the conduct of a union's financial affairs.

I believe the Union is fully compliant with its responsibilities under the law.

Fraternally yours,

A handwritten signature in cursive script, appearing to read "Clarice Torrence".

Clarice Torrence

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles R. Bembry
50 Westervelt Place
Teaneck, NJ 07666

2. Article Number (Copy from service label)

7004 0550 0000 2085 8075

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

8-27

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Timothy Neilan
1002 Staghorn Lane
Stroudsburg, PA.
18360

2. Article Number (Copy from service label)

7004 0550 0000 2085 8068

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

8/27/07

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael Poole
39 Singer Avenue
Spring Valley, NY.
10977

2. Article Number (Copy from service label)

7004 0550 0000 2085 8051

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

8-27-07

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

EXHIBIT D

NY Metro Area Postal Union
 350 West 31st Street
 New York, NY 10001
 November 9, 2007

Ms. Clarice Torrence
 President
 NY Metro Area Postal Union
 350 West 31st Street
 New York, NY 10001

Re: Second Request for NY Metro Area Postal Union Financial
 Information

Dear Ms. Torrence:

Once again, we are reminding you that, as it is our fiduciary right and responsibility under the prevailing APWU National and NY Metro Local Constitutions, and the United States Code, as elected officers of the New York Metro Area Postal Union, we are requesting the following documents for our review:

- All vouchers beginning from January 2006 to, and including, July 27, 2007 for the following individuals.

1. Damon Branch
2. Theodore Nicholas
3. Tawanda Young
4. Gregory Wilson
5. Joann Flagler
6. Wayne Lewis
7. Giselle Ambursley
8. All Coordinators
9. All Sgts. At Arms

- A detailed record of services rendered, with monies spent, for Gary Schoichet, a consultant listed for the Union Mail.
- A break-down of all contributions, gifts, and grants totaling \$28,139.00 as indicated in the most recent LM-2.
- A break down, with explanations, of all legal fees paid to Cary Kane, LLC from January 2006, to, and including, August 1, 2007.
- What services do the following companies perform for the union? Listed are their names and the amounts of money paid to them by NY Metro.

- | | |
|-------------------------------------|-------------|
| 1. DeLage Landon Financial Services | \$29,696.00 |
| 2. Beardon LLP Accounting Services | \$63,437.00 |
| 3. Miceli and Koenig, CPA Firm | 17,789.00 |
| 4. Tom Varecha Associates | \$ 5,976.00 |
| 5. Working Advantage | \$ 7,970.00 |
| 6. Merkle Direct Marketing | \$ 9,097.00 |

C. Torrence - 2
November 9, 2007

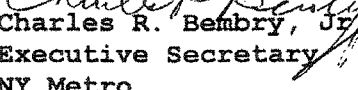
- Cell Phone Towers: The information requested below is for the dates of May 2003 to the present:
 1. Contracts(s) for the cell phone tower located on the roof at 350 W. 31st Street, New York, NY 10001.
 2. Financial statements concerning the cell phone tower. **These statements must show the amount(s) of money received and how and where it is deposited, and the dates of the deposits.** Please understand that there is no financial, or other, information contained in the current, or previous, LM-2's addressing the cell phone tower. The union is renting space to the tower(s) provider(s) and the income is not being reported.
 3. The dates and amounts of the deposits for the money received from the cell phone towers.
- As the recent LM-2 does not contain specific financial information for the Local 10 Building Corporation, please have available for our review all detailed information concerning rent received from each tenant and all other financial reports concerning the operation of Floors 1 - 8 for the Local 10 Building Corporation.
- All Minutes for all meetings of the Local 10 Building Corporation Board of Directors since May 2003.
- A copy of the most recent Trustee Board Report with the names of the Trustees attending. The report must also contain the meeting date and time.
- A complete list of attendees to the APWU All-Craft Conference in Las Vegas, NV from November 5, 2007 through November 8, 2007. Also, the amounts of per-diem and substitution paid to each participant. And, the date that the attendees' names were approved by the Executive Board to attend the All-Craft Conference.


President Torrence, we are sure you will concur that for the well running of any labor organization, any officer and/or member has the right to review that labor organization's financial records at any time. Thank you for your cooperation in this most important matter.


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November 9, 2007

Please have the requested documents available for review by November 16, 2007, 10:00 AM.

Yours in Solidarity,


Charles R. Bemby, Jr.
Executive Secretary
NY Metro


Timothy Neilan
Director, DVD
NY Metro

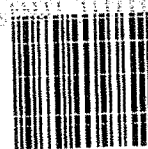

Michael Poole
Coordinating VP
NY Metro

cc: Wilfredo Figueroa, Treasurer
File

*restaur / T /
reel, NJ*



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U.S. POSTAGE
PAID
TEANECK, NJ
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AMOUNT
\$5.21
00058535-04

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10001

TURN RECEIPT
REQUESTED

*NY Metro Postal Union
350 W 31st Street
NY NY 10001
W. Figueroa*

3

10001+2725 0053

